

Calendar No. 1536

86TH CONGRESS }
2d Session }

SENATE

{ REPORT
No. 1474

AH SEE LEE CHIN

MAY 25, 1960.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2991]

The Committee on the Judiciary, to which was referred the bill (S. 2991) for the relief of Ah See Lee Chin, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill, as amended, do pass.

AMENDMENT

Strike all after the enacting clause and insert in lieu thereof, the following:

That, in the administration of the Immigration and Nationality Act, Ah See Lee Chin shall be held and considered to be within the purview of the first proviso to section 312(1) of that Act and may be naturalized upon compliance with all of the other requirements of title III of that Act.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to permit Ah See Lee Chin to proceed to naturalization upon compliance with the requirements of the Immigration and Nationality Act, except that she would be exempt from the requirement to demonstrate an understanding of the English language. The purpose of the amendment is to remove the waiver in the bill as introduced of the requirement that she demonstrate a knowledge and understanding of the history, principles and form of government of the United States, since she will be permitted to be examined in her native tongue.

STATEMENT OF FACTS

The beneficiary of the bill is a 63-year-old native of Hong Kong and citizen of China, who entered the United States at Honolulu on March 19, 1948, as a nonquota immigrant, being the wife of a U.S. citizen. She presently resides with her husband at Honolulu. They have three citizen children, aged 43, 40, and 35. It is stated that because of her advanced age, she has been unable to acquire sufficient knowledge of the English language to take the examinations requisite to naturalization.

A letter, with attached memorandum, dated March 31, 1960, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the bill reads as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., March 31, 1960.

A-6879356

Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, D.C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 2991) for the relief of Ah See Lee Chin, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Honolulu, Hawaii, office of this Service which has custody of those files.

The bill would permit the naturalization of the beneficiary upon compliance with the requirements of the Immigration and Nationality Act, except that she would be exempt from the requirement to demonstrate an understanding of the English language and a knowledge and understanding of the history, principles and form of government of the United States.

Sincerely,

J. M. SWING, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE AH SEE LEE CHIN,
BENEFICIARY OF S. 2991

The beneficiary was born December 14, 1896, in the British Crown Colony of Hong Kong and is a citizen of China. She was married in Hong Kong on November 19, 1909, to Kwan Ching Chin, a native and citizen of the United States. She lives with her husband at Honolulu, Hawaii. They have three children, Yin Kyau, 43 years, Yin Fah, 40 years, and Yin Choy, 35 years. The three children were born in China and all are U.S. citizens residing in this country. She has never been employed and she did not attend school in her native country. The family assets consist of their home, valued at \$20,000 and a joint savings account of \$6,000. The beneficiary has an insurance policy in the amount of \$2,500. Her husband is employed as manager of the New China Daily Press, Honolulu, Hawaii, where he earns \$230

a month. Other than her husband and three children, she has no near relatives in the United States.

The beneficiary's only entry into the United States occurred at Honolulu, Hawaii, on March 19, 1948, at which time she was admitted as a nonquota immigrant, the wife of an American citizen.

The beneficiary has not filed a petition for naturalization. Beginning in 1958 she attended classes in English in Honolulu. A year later she was still unable to speak, read or write simple words in English and she discontinued her attendance.

Senator Oren E. Long, the author of the bill, has submitted the following information in connection with the case:

U. S. SENATE,
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
April 21, 1960:

Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, D.C.

DEAR SENATOR EASTLAND: Enclosed is the file of Mrs. Ah See Lee Chin, who is seeking American citizenship through S. 2991.

Mrs. Chin has earnestly and diligently attempted to learn the English language in order to be naturalized under title III of the Immigration and Nationality Act. However, despite her valiant efforts she has had great difficulty in forming English vowels and consonants and in acquiring an English vocabulary because of her advanced age. The enclosed sworn statements by her physician and English instructor attest to her inability to qualify under title III.

Her desire for citizenship is a real and personal one, for she is anxious to participate fully in the democratic way of life, which has been so generous to her husband and three sons, who are all citizens. She feels that through citizenship she can in some small measure contribute to democracy.

I sincerely urge the committee to examine the sworn statements and the other supporting evidence and to act favorably on this bill.

Aloha and best wishes.

Sincerely yours,

OREN E. LONG, *U.S. Senator.*

HONOLULU, HAWAII, *April 19, 1960.*

To Whom It May Concern:

Mrs. Ah See Lee Chin has been a family patient since 1950 and I have treated her from time to time for minor ailments.

She is a normal individual physically and mentally with respect to her age (which happens to be 63 years old).

I presume that the reason for not able to learn or pass the English requirement for U.S. citizenship is due to absence of any schooling (Chinese) when a child. Therefore at her present age when senility begins, the mental ability to concentrate decreases and likewise her retention power diminishes. Other than the above inability, she is a normal person of good Christian character.

Sincerely yours,

GEORGE TYAU, M.D.

Subscribed and sworn to before me this 19th day of April 1960.

[SEAL]

WONNIE L. W. CHANG,

Notary Public, First Judicial Circuit, State of Hawaii.

My commission expires June 30, 1962.

AFFIDAVIT OF HATTIE H. WONG

UNITED STATES OF AMERICA,

State of Hawaii,

City and County of Honolulu, ss:

I, Hattie H. Wong, being first duly sworn, on oath depose and say:

1. That I reside at 1003 Sixth Avenue, Honolulu, city and county of Honolulu, State of Hawaii.

2. That for the past 6 years I have been and now am a teacher with the Department of Education of the State of Hawaii, and at present am teaching in the Kaewai School, an elementary school.

3. That for the past 3 years I have been and now am a teacher of basic English in adult education classes sponsored by said department of education; and that among the adults whom I taught basic English were many who came from China and Hong Kong.

4. That during a period of 1 year (approximately 12 months) in 1956-57, I privately tutored Ah See Lee Chin, together with five or six other persons from Hong Kong, in basic English; these sessions were held twice a week, and Ah See Lee Chin attended regularly throughout the year.

5. That during those 12 months, Ah See Lee Chin was industrious and eager to learn the English language.

6. That despite such industry and eagerness, she showed little progress, and found it difficult to learn the English language.

7. That whether such difficulty to learn the English language was due to limited powers of retention, or to some mental block, or to some other reason, I cannot say. I can say, however, that Ah See Lee Chin was a normal person in every way; that she was of sound mind and body; that she was eager and anxious to learn; that she earnestly tried to learn the English language; and that despite all of this, her success was small and her progress limited.

9. Further affiant sayeth naught.

Dated, Honolulu, Hawaii, this 19th day of April 1960.

HATTIE H. WONG.

Subscribed and sworn to before me this 19th day of April 1960.

[SEAL]

WONNIE L. W. CHANG,

Notary Public, First Judicial Circuit, State of Hawaii.

My commission expires June 30, 1962.

DECEMBER 9, 1959.

HON. OREN E. LONG,
U.S. Senator,
Washington, D.C.

DEAR MR. LONG: Request is hereby respectfully made to obtain special legislation allowing Ah See Lee Chin to take the examination requisite for naturalization in the Chinese language rather than in the

English language. The facts concerning Mrs. Chin are included in exhibit A, attached hereto and made a part hereof.

As shown in exhibit A, Mrs. Chin was born in Hong Kong on December 14, 1896. She first arrived in Honolulu on March 19, 1948. On December 14, 1959, she will be 63 years of age.

Her husband, Kwan Ching Chin, lives with her at 2035 Nu Place, Honolulu, Hawaii. They have three sons all of whom were born in Hong Kong and who now live in the United States. The three sons are all U.S. citizens by virtue of the U.S. citizenship of their father.

Under section 312 of the Immigration and Naturalization Act, no person shall be naturalized as a U.S. citizen unless he or she understands the English language, including the ability to read, write, and speak words in ordinary usage of the English language, provided that this requirement shall not apply to any person who, on December 24, 1952, was over 50 years of age and had been living in the United States for periods totaling at least 20 years. Inasmuch as Mrs. Chin does not meet the conditions contained in the proviso clause, she must therefore, in order to become naturalized be able to read, write, and speak the English language.

Ever since Mrs. Chin arrived in the United States in 1948, she has made valiant attempts to learn the English language. Her efforts, however, have not been crowned with success. She has found great difficulty in forming English vowels and consonants. She finds it also difficult to acquire an English vocabulary, her poor memory being ascribed by herself to old age.

Despite her inability to learn English, Mrs. Chin desires greatly to become naturalized. Her husband and her three sons are all American citizens. She would like to acquire the same citizenship as they. She states, moreover, that America has been good to her entire family, including herself. Nothing would give her greater satisfaction than to become one with her husband and her three sons, so far as national loyalty and citizenship are concerned.

It is hoped, therefore, that special legislation can be obtained for her to take the citizenship examination in the Chinese language instead of in the English language. That is to say, Mrs. Chin does not ask that she be granted U.S. citizenship without passing an examination; rather, she hopes that she may be allowed to take the examination in the Chinese language instead of the English language.

Yours respectfully,

TIN CHONG GOO.

EXHIBIT A

I. Ah See Lee Chin (the alien in question):

(a) Born on December 14, 1896, at Wang Liang Tiao, Hong Kong.

(b) Married to Kwan Ching Chin on November 19, 1909, in Luk Kang Village, Hong Kong.

(c) First came to the United States on March 19, 1948, by *General Gordon*, the port of entry being Honolulu, Hawaii.

(d) Is citizen of China, and has in her possession alien registration card No. 6879356.

(e) Present address: 2035 Nu Place, Honolulu, Hawaii.

II. Kwan Ching Chin, husband of Ah See Lee Chin:

- (a) Born on March 26, 1895, in Honolulu, Hawaii.
- (b) Married to Ah See Lee Chin on November 19, 1909, in Luk Kang Village, Hong Kong.
- (c) Is citizen of the United States, and has in his possession certificate of citizenship, Hawaiian Islands, No. 22144, signed by George L. Coleman, Assistant District Director, Immigration and Naturalization Service, and issued on June 28, 1938 (file No. 4382-2473).
- (d) Present address: 2035 Nu Place, Honolulu, Hawaii.

III. Yin Kyau Chin, son of Kwan Ching Chin and Ah See Lee Chin:

- (a) Born on October 6, 1917, at Luk Kang Village, Hong Kong.
- (b) First came to the United States in September 1934 by *Empress of Japan*, the port of entry being Honolulu, Hawaii.
- (c) Is a citizen of United States through U.S. citizenship of his father Kwan Ching Chin, and has in his possession certificate of citizenship, Hawaiian Islands, No. 24993.
- (d) Present address: 45-706 Lanipola Place, Kaneohe, Oahu, Hawaii.

IV. Yin Fah Chin, also known as Albert Y. F. Chin, son of Kwan Ching Chin and Ah See Lee Chin.

- (a) Born on May 11, 1920, in Luk Kang Village, Hong Kong.
- (b) First came to the United States on July 9, 1937, by *Empress of Canada*, the port of entry being Honolulu, Hawaii.
- (c) Is citizen of United States through U.S. citizenship of his father Kwan Ching Chin and has in his possession certificate of citizenship, Hawaiian Islands, No. 30024.
- (d) Was a member of U.S. armed services, serial No. 30121872; date of entry into service September 14, 1945; date of honorable discharge, February 4, 1947.
- (e) Present address: 2035 Nu Place, Honolulu, Hawaii.

V. Yin Choy Chin, son of Kwan Ching Chin and Ah See Lee Chin:

- (a) Born on August 19, 1924, in Luk Kang Village, Hong Kong.
- (b) First came to the United States on October 25, 1947, by *General Gordon*, the port of entry being Honolulu, Hawaii.
- (c) Is a citizen of United States through U.S. citizenship of his father Kwan Ching Chin and has in his possession certificate of citizenship No. AA-16101 issued on August 25, 1949, by Department of Justice.
- (d) Present address: 1539 Grant Avenue, San Francisco, Calif.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2991), as amended, should be enacted.